

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA, :  
 :  
 Plaintiff, :  
 :  
 v. : Criminal Action No. 99-033-JJF  
 :  
 PARRIS WALL, :  
 :  
 Defendant. :

O R D E R

WHEREAS, Defendant has filed a Motion For Return Of United States Currency And Miscellaneous Property Seized During Subsequent Arrest And Search Now Held In Violation Of Fed. R. Crim. P. Rule 41(e) (D.I. 307) requesting the return of property seized from him after his arrest, including \$590.00, a portfolio of car titles, rent receipts and one gold ring;


WHEREAS, the Government has filed a Response admitting that law enforcement officers from the Dover Police Department seized \$591.00 from Defendant but denying that any other property was taken from Defendant and requesting an evidentiary hearing unless Defendant waives such a hearing;

NOW THEREFORE, IT IS HEREBY ORDERED that

1. Defendant shall file a Reply Brief to Defendant's Motion **within ten (10) days of the date of this Order** indicating whether he waives his right to a hearing such that his Motion should be resolved on the papers submitted, or whether he wishes to proceed with an evidentiary hearing.

2. Defendant's failure to timely file a response will be construed by the Court as a waiver of his right to an evidentiary hearing, and the Court will proceed to resolve Defendant's Motion on the basis of the papers submitted.

April 6, 2006  
Date

  
UNITED STATES DISTRICT JUDGE